

Appl. No.: 10/082,450
Amdt. dated September 14, 2009
Reply to PUBS Requirement to Amend Specification

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REMARKS/ARGUMENTS

With this Amendment, Applicant amends pages 125 and 126 of the Specification to correct minor informalities that were identified by the Office of Patent Publication (PUBS) which were communicated to the Applicant by the Examiner in a telephone call on September 10, 2009. No new matter is added.

Applicant points out that MPEP § 714.16(d), III. indicates that 37 CFR 1.312 does not typically permit an amendment after the payment of the issue fee. However, “[i]n order to be able to accept an amendment to correct “an error in … text, or drawings … including any missing text, or an inconsistency between the drawings and … application papers” discovered by PUBS “such an amendment … may be required without having to withdraw an application from issue” since “PUBS has been delegated the authority to waive the requirement of 37 CFR 1.312 and accept an amendment filed after the payment of the issue fee.” (See *id.*)

In view of the foregoing, Applicant submits that this Amendment is proper and requests that the amendments to the Specification be entered at this time even though the issue fee was paid on July 24, 2009. Based on the amendments to the Specification set forth herein, Applicant respectfully submits that this patent application is in condition for issuance as a patent.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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